

Election 2011

A public ignored.

Prime Minister John Key renounced public ownership of the foreshore and seabed in March this year, ignoring the wishes of the majority of New Zealanders - many of whom had elected him.

However, those New Zealanders can not be ignored again on Election Day, 26 November 2011.

You can help us fight to keep our beaches and oceans open to all of us. See how at www.CoastalCoalition.co.nz

Click here

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IN ASSOCIATION WITH

NZCPR

NEW ZEALAND CENTRE
FOR POLITICAL RESEARCH

We, the **Coastal Coalition**, want to see the foreshore and seabed restored to Crown ownership and the ownership of all New Zealanders.

Our group was formed to oppose the National and Māori parties' Marine and Coastal Area Bill.

That Bill, never publicly announced as National policy, allows iwi to claim private tribal ownership of coastal areas, including ownership of all non-nationalised minerals, right out to the 12 mile Territorial Sea limit.

Crown ownership – our ownership – has been repealed and iwi can be awarded title through secret political deals, instead of having to prove their claim in the High Court.

The public did not want this Bill

National and the Māori Party had no mandate to change the law – in fact the Prime Minister promised it would not be changed unless there was widespread public support. There wasn't, but despite overwhelming opposition from Māori and non-Māori alike, he rammed it through anyway.

How the politicians voted

The Marine and Coastal Area (Takutai Moana) Act was passed in Parliament on 24 March 2011 by 63 votes to 56.

With an election just around the corner, the Coastal Coalition would like to remind voters which Parties supported the Bill and which opposed it.

Parties voting in favour of the Bill were:

The National Party (58 votes), the Māori Party (4 votes), the United Future Party (1 vote).

Parties voting against the Bill were:

The Labour Party (39 votes, 3 Members were on leave and their votes were not counted), the Green Party (9 votes), the ACT New Zealand Party (5 votes), Jim Anderton's Progressive Party (1 vote), Independent Chris Carter (1 vote), Independent Hone Harawira (1 vote).

What happens next?

We asked Parties opposed to the new law two questions:

1. Do you intend to leave the Marine and Coastal Area Act in place or would you like to replace it?
2. If you intend to replace it, do you believe that ownership of the foreshore & seabed should remain with the Crown, or do you agree with National that the coast should be privatised to iwi?

Their responses are summarised in the table on the next page:

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How the Parties voted.

Party positions on the foreshore and seabed legislation.

	Will you repeal the 2011 Marine & Coastal Area Act?	Will you restore Crown ownership?	Did you oppose the 2011 Marine & Coastal Area Act?	Did you support the 2004 Foreshore & Seabed Act?
Who supports repealing the new Act and restoring Crown ownership				
ACT Party	Yes	Yes	Yes	No
Conservatives	Yes	Yes	n/a	n/a
New Zealand First	Yes	Yes	Yes	Yes
Who supports privatising the foreshore and seabed to iwi				
Green Party	Yes	No	Yes	No
Labour Party	Undecided	No	Yes	Yes
Mana Party	No reply	No	n/a	n/a
Māori Party	No	No	No	No
National Party	No	No	No	No
United Future	No	No	No	No

n/a - not applicable (party not formed at the time)

On November 26, *use your vote* to tell the Parties what you want.

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Only three parties have said they will restore public ownership of the foreshore and seabed.

Party positions on restoring Crown ownership of the foreshore & seabed

ACT Party

Message from Parliamentary Leader John Boscawen:

“ACT strongly opposed the Marine and Coastal Area Bill and supports restoration of Crown ownership, but with the right of tribal groups to go to the High Court. We believe it would be extremely difficult, if not impossible, to prove continuous and exclusive access to any area of the seabed out to the old territorial limit of 3 nautical miles, let alone 12 nautical miles. The whole issue of ownership of the foreshore and seabed arose because of the surprising 2003 Ngati Apa decision by the Court of Appeal that wet sea was dry land. ACT proposes that the Government appeal this decision.”

Conservative Party

Message from Leader Colin Craig:

“Ownership of the foreshore and seabed should be vested in the Crown on behalf of all New Zealanders. In respect of Māori claims, generally where Māori (or anyone else’s) rights have been infringed they should always have the right to take the matter to court. The possibility to now ‘negotiate’ with Parliament directly is a disturbing departure from the principle that courts are the proper place to have matters of justice heard and decided.”

New Zealand First

Message from Leader Winston Peters:

“The 2004 Foreshore and Seabed Act was, and is, NZ First’s policy solution negotiated with the agreement of coastal iwi. The Marine and Coastal Area (Takutai Moana) Act 2011 arose from an unannounced deal between National and the Māori Party soon after the 2008 election. It is a political and legal mess with the result that no entity now owns the foreshore and seabed. That is an unprecedented vacuum historically and internationally. It is now an invitation for mischief and future dispute between Māori and Māori and Māori and the rest of the population of NZ. The 2011 Act should be repealed and the 2004 Act restored thereby ensuring ownership of the foreshore and seabed for all New Zealanders.”

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Citizens Initiated Referendum launched by the Coastal Coalition.

At the heart of this issue is whether the country's foreshore and seabed should belong to all New Zealanders equally – as it has since 1840 – or whether it should be privatised to the Māori tribal elite.

The Coastal Coalition

The Coastal Coalition believes that National, the Māori Party and United Future had no public mandate to change the law so we have taken a stand and launched a Citizens Initiated Referendum to restore Crown ownership.

The Citizens Initiated Referendum

With your help, all New Zealanders can tell the Government – through a nationwide referendum – that they want to own their beaches and oceans.

If we are able to gain the support of 10 percent of registered voters for our petition (that's 320,000 signatures!) by the end of June next year, the government will be forced to hold a nation-wide referendum asking:

Should the Marine and Coastal Area (Takutai Moana) Act 2011 be replaced by legislation that restores Crown ownership of the foreshore and seabed?

If you feel passionately about this issue and would like to help gather the 320,000 signatures we need, we would be very grateful. We have added a copy of the CIR petition form as the last page of this Report for your convenience.

You will find full details of where to send completed forms on the form itself. Please remember that anyone who signs our petition must be on the electoral roll – and they should only sign once!

If you need any assistance at all, please contact Geoff Parker our CIR Coordinator by phone on 09-426-7874 or email on cma3nz@inbox.com.

Full information about the referendum, including links to the petition form, can be found on the Coastal Coalition website at www.CoastalCoalition.co.nz.

The New Zealand Centre for Political Research

The Coastal Coalition is supported by the New Zealand Centre for Political Research, a research based public policy think tank established in 2005, by former MP Dr Muriel Newman.

If you are interested in the future of the foreshore and seabed you are urged to register for the free **NZCPR Weekly** newsletter by visiting the NZCPR website at www.nzcpr.com.

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Petition for a Citizens Initiated Referendum

To the House of Representatives, we the undersigned, pursuant to the Citizens Referenda Act 1993, ask that an indicative referendum be held on the following question:

“Should the Marine and Coastal Area (Takutai Moana) Act 2011 be replaced by legislation that restores Crown ownership of the foreshore and seabed?”

Please provide your email address if you would like to be kept informed of progress of the petition

PLEASE PRINT CLEARLY IN BLOCK LETTERS					
Signature	First Name	Last Name	*Birthdate	Residential Address	Email
1				
2				
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9				
10				

*Providing birthdate is not compulsory but it helps the validation of signatories - especially if their address is different from that on the electoral roll



CIR promoted by Dr Muriel Newman and Dr Hugh Barr for the Coastal Coalition - see www.CoastalCoalition.co.nz

Please return forms to COASTAL COALITION, PO Box 984, Whangarei

The wording of the question and this form have been approved under the Citizens Initiated Referenda Act 1993.